

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(New Administrative Regulation)

501 KAR 6:290. Southeast State Correctional Complex.

RELATES TO: KRS Chapters 196, 197, 439

STATUTORY AUTHORITY: KRS 196.035, 197.020, 439.470, 439.590, 439.640

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035, 197.020, 439.470, 439.590, and 439.640 authorize the Justice and Public Safety Cabinet and Department of Corrections to promulgate administrative regulations necessary and suitable for the proper administration of the department or of its divisions. These policies and procedures are incorporated by reference in order to comply with the accreditation standards of the American Correctional Association. This administrative regulation establishes the policies and procedures for the Southeast State Correctional Complex.

Section 1. Incorporation by Reference. (1) "Southeast State Correctional Complex policies and procedures", November 3, 2021, are incorporated by reference. Southeast State Correctional Complex policies and procedures include:

SSCC 01-06-01	Inmate Access to and Communication with SSCC Staff
SSCC 01-07-01	Institutional Tours of SSCC
SSCC 01-08-01	SSCC Cooperation with Outside Agencies Including Courts, Governmental, Legislative, Executive, and Community Agencies
SSCC 01-10-01	Public Information and Media Communication
SSCC 01-11-01	Tobacco Products and Nicotine Procedures
SSCC 02-08-01	Inmate Canteen
SSCC 02-12-01	Inmate Accounts
SSCC 05-02-01	Outside Consultation and Research
SSCC 09-01-01	Inmate Counts
SSCC 09-02-01	Inmate Substance Abuse Testing
SSCC 09-03-01	Inmate Death
SSCC 09-04-01	Construction Crew Entry and Exit Procedures
SSCC 09-05-01	Entry and Exit Procedures
SSCC 10-01-01	Restrictive Housing Unit
SSCC 11-01-01	Food Service General Information & Staff Health Standards

SSCC 11-01-02	Inmate Dining Room
SSCC 11-02-01	Food Service Security
SSCC 11-03-01	Inmate Work Schedule for Food Service
SSCC 11-04-01	Meal Preparation and Service
SSCC 11-04-02	Menu, Nutrition, Special, and Individual Diets
SSCC 12-01-01	Clothing, Bedding, Hygiene Supplies, and Barber Shop
SSCC 12-03-01	Vermin and Insect Control
SSCC 13-02-01	Medical Services Informed Consent, Sick Call, Physician's Clinics, Pill Call, and Medical Co-Payment
SSCC 13-02-02	Emergency Medical Care and Specialized Health Services
SSCC 13-02-03	Continuity of Care: Health Evaluations, Intra-System Transfer, Individual Treatment Plans
SSCC 13-03-01	Use of Pharmaceutical Products
SSCC 13-05-01	Management of Serious and Infectious Diseases
SSCC 13-06-01	Mental Health Services
SSCC 13-07-01	Suicide Prevention and Intervention Program
SSCC 13-08-01	Eye Care
SSCC 13-09-01	Dental Care
SSCC 13-12-01	Inmate Self Administration of Medication
SSCC 13-13-01	Health Education Program and Detoxification
SSCC 13-14-01	COVID-19 Precautions
SSCC 14-02-01	Legal Services Program
SSCC 16-01-01	Inmate Visitation
SSCC 16-02-01	Inmate Mail
SSCC 16-03-01	Inmate Telephone Communications
SSCC 16-04-01	Inmate Packages
SSCC 17-01-01	Personal Property Control
SSCC 17-02-01	SSCC Inmate Receiving and Orientation Process
SSCC 17-03-01	Television Repair Process
SSCC 18-01-01	Inmate Classification

SSCC 18-02-01	Meritorious Housing
SSCC 18-02-02	Meritorious Visitation
SSCC 19-01-01	Inmate Work Program
SSCC 20-01-01	Educational Courses
SSCC 21-01-01	Library Services
SSCC 22-01-01	Recreation Programs
SSCC 22-02-01	Inmate Clubs and Organizations
SSCC 22-03-01	Arts and Crafts Projects
SSCC 23-01-01	Religious Services
SSCC 24-01-01	Social Services and Counseling Program
SSCC 25-01-01	Pre-Release Program
SSCC 25-01-02	Inmate Release Process
SSCC 25-02-01	Parole Hearings
SSCC 26-01-01	Citizen Involvement and Volunteer Service Program

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Legal Services, Justice and Public Safety Cabinet, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections website at <https://corrections.ky.gov/About/Pages/Ircfilings.aspx>.

COOKIE CREWS, Commissioner

APPROVED BY AGENCY: October 5, 2021

FILED WITH LRC: November 3, 2021 at 3:00 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 21, 2022 at 9:00 a.m. at Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on January 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Amy V. Barker, Assistant General Counsel, Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-8207, fax (502) 564-6686, email Justice.RegContact@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Amy Barker

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation incorporates by reference the policies and procedures governing the Southeast State Correctional Complex (SSCC).

(b) The necessity of this administrative regulation: This regulation meets statutory requirements in KRS 196.035 and 197.020 and meets American Correctional Association (ACA) policy requirements.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation governs the operations of the Southeast State Correctional Complex including rights and responsibilities of employees and inmates.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The regulation and material incorporated by reference provide direction and information to SSCC employees and inmates concerning employee duties, inmate responsibilities, and the procedures that govern operations of the institution.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: Not applicable.

(b) The necessity of the amendment to this administrative regulation: Not applicable.

(c) How the amendment conforms to the content of the authorizing statutes: Not applicable.

(d) How the amendment will assist in the effective administration of the statutes: Not applicable.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This affects approximately 245 employees and 584 inmates at the Southeast State Correctional Complex and all volunteers and visitors to the institution.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Staff, inmates, volunteers, and visitors will have to follow the policies and procedures.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): An exact cost of compliance is unknown, but is anticipated to be within the funds budgeted to the Department of Corrections for institutional operational costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The operational changes will assist in the effective and orderly management of the institution.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No additional cost is anticipated.

(b) On a continuing basis: No additional cost is anticipated.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Department of Corrections budgeted funds for Southeast State Correctional Complex for the biennium.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding is anticipated.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The regulation does not establish any fee.

(9) TIERING: Is tiering applied? No. Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated by it.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Southeast State Correctional Complex

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 196.035, 197.020, 28 C.F.R. §115.15, 28 C.F.R. §115.42

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? The regulation does not create any revenue for the institution.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? The regulation does not create any revenue for the institution.

(c) How much will it cost to administer this program for the first year? The regulation impacts how the institution operates, but does not increase costs from what will be budgeted to the institution for the biennium.

(d) How much will it cost to administer this program for subsequent years? The regulation impacts how the institution operates, but is not expected to increase costs from what will be budgeted to the institution.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: